

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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HOUSE BILL 382

Short Title: Pyrotechnics/UNC School of Arts Exception. (Public)

Sponsors: Representatives Hanes, Conrad, Terry, and Lambeth (Primary Sponsors).

For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.

Referred to: Education, if favorable, Judiciary Subcommittee B.

March 21, 2013

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT CERTAIN PROHIBITIONS AND REQUIREMENTS REGARDING PYROTECHNICS DO NOT APPLY TO THEATRICAL PERFORMANCES, FILM PRODUCTIONS, AND OTHER THEATRICAL PRESENTATIONS PRODUCED, PRESENTED, OR SPONSORED BY THE UNIVERSITY OF NORTH CAROLINA SCHOOL OF THE ARTS THAT ARE PRESENTED ON PROPERTY OWNED OR LEASED BY THE UNIVERSITY OF NORTH CAROLINA SCHOOL OF THE ARTS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 14-410 is amended by adding a new subsection to read:

"(a4) It is permissible for pyrotechnics to be purchased, possessed, received, used, handled, exhibited, or discharged for theatrical performances, film productions, or other presentations that are theatrical in nature produced, presented, or sponsored by the University of North Carolina School of the Arts on any property owned or rented by the University of North Carolina School of the Arts. The provisions of subsection (a1) of this section do not apply in the circumstances set out in this subsection."

SECTION 2. G.S. 14-413 is amended by adding a new subsection to read:

"(c) This section shall not apply to theatrical performances, film productions, or other presentations that are theatrical in nature produced, presented, or sponsored by the University of North Carolina School of the Arts on any property owned or rented by the University of North Carolina School of the Arts."

SECTION 3. G.S. 58-82A-2 reads as rewritten:

"§ 58-82A-2. Individual training requirements.

(a) An individual may not use, handle, exhibit, or discharge pyrotechnics in connection with a concert or public exhibition, as allowed under Article 54 of Chapter 14 of the General Statutes, unless the individual successfully completes the training approved or offered by the Commissioner of Insurance through the Office of State Fire Marshal or meets all of the following conditions:

- (1) Is an active member in good standing with a local fire or rescue department and has experience in pyrotechnics or explosives, as verified by the State Fire Marshal.
- (2) Possesses the professional qualifications required by the State Fire Marshal or the professional qualifications required by the jurisdiction where permitting is being sought, whichever is greater. The professional qualifications set by the State Fire Marshal may not be less than the



1 voluntary minimum professional qualifications for all levels of fire service
2 and rescue service personnel established by the State Fire and Rescue
3 Commission under G.S. 58-78-5.

4 (b) This section does not apply to an individual who is using, handling, exhibiting, or
5 discharging pyrotechnics in connection with theatrical performances, film productions, or other
6 presentations that are theatrical in nature produced, presented, or sponsored by the University
7 of North Carolina School of the Arts on any property owned or rented by the University of
8 North Carolina School of the Arts."

9 **SECTION 4.** This act is effective when it becomes law.